

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

May 28, 2021

Lyle W. Cayce
Clerk

No. 20-50877
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

JASON CARL MCCOY,

Defendant—Appellant.

Appeal from the United States District Court
for the Western District of Texas
USDC No. 6:06-CR-216-1

Before JOLLY, ELROD, and GRAVES, *Circuit Judges.*

PER CURIAM:*

Jason Carl McCoy appeals the sentence imposed following the revocation of his supervised release. The magistrate judge recommended that the district court revoke McCoy's supervised release after he violated the conditions of supervision by committing two state crimes and that

* Pursuant to 5TH CIRCUIT RULE 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIRCUIT RULE 47.5.4.

No. 20-50877

McCoy be sentenced to 24 months of imprisonment, followed by two years of supervised release. The district court subsequently entered an order adopting the magistrate judge's report and recommendations. On appeal, McCoy contends that the district court erred by not reducing his sentence for the time he spent detained for his state charges.

However, McCoy filed a notice of appeal from the magistrate judge's report and recommendations, before the district court entered an order adopting it. Our jurisdiction does not extend to the magistrate judge's non-final decision. *See United States v. Cooper*, 135 F.3d 960, 961-63 (5th Cir. 1998).

Accordingly, the appeal is DISMISSED.